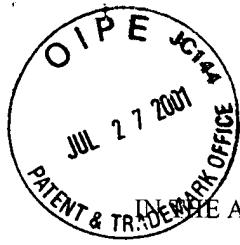


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SOL

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Case No. 00-1314)

THE APPLICATION OF: )  
Pieter Hendrik Pouwels et al. )  
Serial No. 09/720,583 ) Examiner: To Be Assigned  
Filed: December 22, 2000 ) Group Art Unit: Unknown  
Title: PROPIONIBACTERIUM VECTOR )  
)

BOX DD  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**TRANSMITTAL LETTER**

In regard to the above identified application:

1. We are transmitting herewith the attached:

- a. Information Disclosure Statement;
- b. Form PTO-1449;
- c. Copy of IDS Citations 09/720,583 (6 references);
- d. Return Receipt Postcard.

2. With respect to additional fees:

No additional fee is required.

3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Asst. Commissioner for Patents, Box DD, Washington, D.C. 20231 on this 24<sup>th</sup> day of July, 2001.

By:

*Alison J. Baldwin*  
Alison J. Baldwin  
Reg. No. P-48,968



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1314)

IN THE APPLICATION OF: )  
Pieter Hendrik Pouwels et al. )  
Serial No. 09/720,583 ) Examiner: To Be Assigned  
Filed: December 22, 2000 ) Group Art Unit: To Be Assigned  
Title: PROPIONIBACTERIUM VECTOR )  
)  
)

**INFORMATION DISCLOSURE STATEMENT**

Box DD  
Commissioner for Patents  
Washington, D.C. 20231-9999

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the

references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103, nor is this submission to be construed as a representation that a search has been made.

### **CITED REFERENCES**

#### **U.S. Patent Documents**

<u>Document Number</u>	<u>Date</u>	<u>Name</u>	<u>Class</u>	<u>Filing Date If Appropriate</u>
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#### **Foreign Patent Documents**

<u>Document Number</u>	<u>Date</u>	<u>Country</u>	<u>Class</u>	<u>Translation Yes/No</u>
WO 99/67356-A3	12/29/1999	PCT	C12N 15/31	Yes
EP 0 400 931 A1	05/25/1990	Europe	C12N 15/74	Yes
JP 08 56673	03/05/1996	Japan	C12N 15/09	No

#### **Other Documents**

1. Rehberger and Glatz, "Characterization of Propionibacterium Plasmids", Applied and Environmental Microbiology, April 1990, pages 864-871.
2. Rehberger and Glatz, "Isolation of Plasmid DNA in Propionibacterium", Abstracts of the 85<sup>th</sup> annual meeting of the American Society for Microbiology, 1985, page 20.
3. Rehberger and Glatz, "Plasmide Associated Cell Aggregation in Propionibacterium jensenii", Abstracts of the 89<sup>th</sup> annual meeting of the American Society for Microbiology, 1989, page 38.

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff**

Date: 7/24/01

By: Alison J. Baldwin  
Alison J. Baldwin  
Registration No. P-48,968